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DEC 13 2005

DATE: December 13, 2005

Your Ref: 09/762,765

Our Ref: 1811-228 MIS:ah

TO:	FAX #	PHONE #
The United States Patent Office	571-273-8300	

Total Number of Pages (Including This Page): 15

FROM: Michael I. Stewart / 416-849-8400

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PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/762,765	RECEIVED CENTRAL FAX CENTER DEC 13 2005
	Filing Date	May 1, 2001	
	First Named Inventor	Costas Tzoganakis	
	Art Unit	1713	
	Examiner Name	Fred M. Teskin	
Total Number of Pages in This Submission	14	Attorney Docket Number	1811-228 MIS:ah

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Petition to Withdraw Holding of Abandonment Copy of Amendment and copy of Transmittal form.
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Sim & McBurney		
Signature	<i>Michael I. Stewart</i>		
Printed name	Michael I. Stewart		
Date	December 13, 2005	Reg. No.	24,973

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	<i>Michael I. Stewart</i>
Typed or printed name	Michael I. Stewart
Date	Dec. 13/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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T-850 P.003/015 F-387

DEC 13 2005**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Confirmation No.: 7506

Appl'n. No. : 09/762,765
Applicant : Costas Tzoganakis, et al.
Filed : May 1, 2001
Title : MELT PHASE HYDROSILYLATION OF POLYPROPYLENE
Grp./A.U. : 1713
Examiner : Fred M. Teskin
Docket No. : 1811-228 MIS/ah
Date : December 13, 2005

BY FACSIMILE (703) 872-9306

Mail Stop Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
U.S.A.

Attention: Group Director
Group 1700

Petition to Withdraw Holding of Abandonment

A Notice of Abandonment has been received dated November 25, 2005. The Notice of Abandonment indicates that the application stands abandoned for failure to respond in timely manner to the Office Action of April 28, 2005.

This is incorrect. An Amendment responsive to the Office Action was transmitted to the Office by facsimile on July 15, 2005. Our records show that the facsimile transmission was successful and hence it should be presumed that the Amendment was received in the PTO and perhaps mislaid.

In support of this Petition, enclosed herewith are:


The transmittal form and Amendment as transmitted to the PTO and a copy of our facsimile confirmation report showing receipt of all eleven pages of the transmission by the PTO.

Application No. 09/762,765
Amdt. dated December 13, 2005
Reply to Office Action of November 25, 2005

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Under the circumstances, it is submitted that the Notice of Abandonment should be rescinded and the application returned to pending status.

Respectfully submitted,



Michael I. Stewart
Reg. No. 24,973

Toronto, Ontario, Canada,
(416) 849-8400
FAX No. (416) 595-1163

Confirmation Report - Memory Send

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Job number : 525
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Sim & McBurney
 Patent & Trade Mark Agents

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DATE: July 15, 2005
 Your Ref: 09/762,676

Our Ref: 1811-228 MIS:ah

TO:	FAX #	PHONE #
The United States Patent Office	671-273-8300	

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FROM: Michael I. Stewart / 239

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